

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:	§	
	§	
WOODS INLET CORP.	§	CASE NO. 19-42388-elm-11
	§	
DEBTOR	§	

BOKF, N.A. d/b/a BANK OF TEXAS	§	
PLAINTIFF	§	
	§	ADVERSARY NO. 19-04101-elm
V.	§	
	§	
WOODS INLET CORP.	§	
AND WILDCAT CANYON, LLC	§	
DEFENDANTS	§	

DEFENDANTS' MOTION FOR CONTINUANCE

TO THE HONORABLE EDWARD L. MORRIS, UNITED STATES BANKRUPTCY JUDGE:

NOW COMES, Defendant, Woods Inlet Corp. and Wildcat Canyon, LLC (hereinafter collectively "Defendants"), and file this Defendants' Motion for Continuance and in respect thereto would show the Court as follows:

1. Defendant, Woods Inlet Corp., first requested a continuance in this cause in order to resolve another adversary proceeding against Carter Smith, Vivian Smith and Spencer Smith. The Court granted that continuance because it would have been virtually impossible to negotiate any resolution of this adversary proceeding as long as Carter Smith had an ownership interest in either Woods Inlet Corp. or Wildcat Canyon, LLC. That matter has been completely resolved and Carter Smith no longer has any ownership interest in either Woods Inlet Corp. or Wildcat Canyon, LLC.

2. Shortly after the settlement with Carter Smith, the restaurant business was shut down because of the Orders of the Tarrant County Judge and the Mayor of the City of Fort Worth,

because of the Coronavirus Pandemic. At this point in time, the restaurant cannot be operated in a profitable manner, even with Governor Abbott's guidelines issued on April 27, 2020. At this point in time, it is impossible to determine when the restaurant will be fully operating.

3. The Plaintiff has already agreed to complete mediation of this cause until August 1, 2020, and that has been approved by the Court.

4. On April 29, 2020, Plaintiff's attorney agreed via email to a July 15, 2020 deadline to complete all pretrial matters, and then shortly thereafter, reneged on that agreement, saying that he made a mistake and meant May 15, 2020, and then, he sent another email stating that his client would only agree to a one (1) week extension. A copy of the emails are attached hereto.

5. This Motion for Continuance is not brought for purposes of delay, but so that justice can be done. The Defendants are requesting a two (2) days when the Court ultimately reopens. The Defendants request that the Court set a trial docket call in August, 2020 or later and that a new scheduling order be issued based upon the new trial docket call date.

Respectfully submitted,

/s/ A. Bruce Wilson

A. Bruce Wilson
State Bar No. 21666500
6300 Ridglea Place, Suite 1111
Fort Worth, TX 76116
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Fax: 817-377-1232
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ATTORNEY FOR DEFENDANT,
WOODS INLET CORP.

/s/ John Y. Bonds

John Y. Bonds, III
State Bar No. 02589100
J. Robertson Clarke
State Bar No. 24108098
BONDS ELLIS EPPICH SCHAFFER JONES LLP

420 Throckmorton St., Suite 1000
Fort Worth, TX 76102
(817) 405-6900 telephone
(817) 405-6902 facsimile
john@bondsellis.com
Robbie.clarke@bondsellis.com

ATTORNEYS FOR DEFENDANT,
WILDCAT CANYON, LLC

CERTIFICATE OF CONFERENCE

The undersigned attorney certifies that on April 29, 2020 he provided Perry Cockerell, the Plaintiff's attorney, with a copy of the Defendants' Motion for Continuance and asked whether or not he opposed it. Mr. Cockerell did not respond to the email, therefore, it is assumed that the Plaintiff opposes Defendant's Motion for Continuance.

/s/ A. Bruce Wilson
A. Bruce Wilson

CERTIFICATE OF SERVICE

I, A. Bruce Wilson, do hereby certify that a true and correct copy of the above and foregoing document was served electronically on the date that it was filed electronically on the following:

Perry Cockerell – Via email perry@perrycockerell.com
Perry Cockerell, P.C.
8300 Douglas Ave., Suite 800
Dallas, TX 75225

/s/ A. Bruce Wilson
A. Bruce Wilson

Subject: RE: EC Development Corporation
From: Perry Cockerell <perry@perrycockerell.com>
Date: 4/29/2020, 1:42 PM
To: John Bonds <john@bondsellis.com>, "A. Bruce Wilson" <wilson@abwilsonlaw.com>
CC: "Jeremy Brown (jbrown@keatingbrown.com)" <jbrown@keatingbrown.com>

Works for me.

Perry Cockerell

Perry Cockerell, P.C.
8117 Preston Road, Suite 300
Dallas, Texas 75225
Phone: 214-706-9195
Fax: 214-706-9000
Cell: 214-206-6560
perrycockerell.com | perry@perrycockerell.com

From: John Bonds <john@bondsellis.com>
Sent: Wednesday, April 29, 2020 1:39 PM
To: Perry Cockerell <perry@perrycockerell.com>; A. Bruce Wilson <wilson@abwilsonlaw.com>
Cc: Jeremy Brown (jbrown@keatingbrown.com) <jbrown@keatingbrown.com>
Subject: RE: EC Development Corporation

How about July 15th?

From: Perry Cockerell <perry@perrycockerell.com>
Sent: Wednesday, April 29, 2020 1:38 PM
To: John Bonds <john@bondsellis.com>; A. Bruce Wilson <wilson@abwilsonlaw.com>
Cc: Jeremy Brown (jbrown@keatingbrown.com) <jbrown@keatingbrown.com>
Subject: RE: EC Development Corporation

How much time do you want to ask?

Perry Cockerell

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8117 Preston Road, Suite 300
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Cell: 214-206-6560
perrycockerell.com | perry@perrycockerell.com

From: John Bonds <john@bondsellis.com>

Subject: RE: EC Development Corporation
From: Perry Cockerell <perry@perrycockerell.com>
Date: 4/29/2020, 1:43 PM
To: John Bonds <john@bondsellis.com>, "A. Bruce Wilson" <wilson@abwilsonlaw.com>
CC: "Jeremy Brown (jbrown@keatingbrown.com)" <jbrown@keatingbrown.com>

Wait, I didn't mean July 15. I meant May 15. Let me check with my client first.

Perry Cockerell

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Subject: Extension

From: Perry Cockerell <perry@perrycockerell.com>

Date: 4/29/2020, 2:15 PM

To: "A. Bruce Wilson" <wilson@abwilsonlaw.com>, John Bonds <john@bondsellis.com>

CC: "Jeremy Brown (jbrown@keatingbrown.com)" <jbrown@keatingbrown.com>

Gents – my client will only agree to a 1 week extension on the pretrial requirements. What do you want to do?

Perry Cockerell

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